

Testimony for SB13-52:

My name is Alan Lisowy and I am a past president of the Colorado Association of Geotechnical Engineers. The Colorado Association of Geotechnical Engineers is a collection of over 120 engineers and 60 companies that formed to address technical and professional issues facing practicing geotechnical engineers. We work to advance the profession and to promote the public welfare. I estimate that CAGE represents over 1,000 employees in Colorado. I am also the office manager of H-P Geotech's Parker, Colorado office. H-P Geotech is a Colorado company with 3 offices and 50 employees. H-P Geotech provides geotechnical engineering and materials testing services on projects throughout Colorado.

I am here today to support Senate Bill 13-52. The litigious climate facing construction professionals due to the nature and frequency of construction defects claims has put engineering professionals in a very difficult position. As a company, we have all but eliminated providing services for multi-owner projects. The bottom line is, the fees for our services do not cover the deductible for our professional liability insurance for these projects when we are sued on these projects. Construction defects claims hit almost ALL of these projects. As a company we work on other residential projects such as single-family homes, but the risk of a lawsuit on a multi-owner project has become too great.

Over the past 10 years, these types of multi-owner projects have been specifically targeted by lawyers and forensic investigators who specialize in construction defects lawsuits. The recent trend in TOD multi-owner projects simply provides another easy target and big payday for these predators.

I hope that you will consider passing Senate Bill 13-52.

Thank You.